

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:11CV006-MOC-DSC**

C. STEVEN YATES,)
)
 Plaintiff,)
)
 v.)
)
 MEDICAL SPECIALTIES, INC.,)
)
 Defendant.)
 _____)

ORDER

THIS MATTER is before the Court on the “Defendant’s Motion to Compel Designation of Non-confidential Information Under ... or, Alternatively, for Modification of Protective Order” (document #32) filed April 22, 2013 and the parties’ associated briefs and exhibits. See documents ## 58, 61, and 62. This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1), and is now ripe for the Court’s consideration.

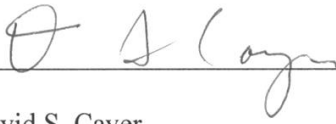
For the reasons set forth in Defendant’s Motion and briefs, the Motion is granted in the alternative.

IT IS THEREFORE ORDERED that:

1. The Court modifies the Stipulated Protective Order (document #22) to allow Defendant to submit the subject documents to the United States Patent and Trademark Office (“USPTO”) under the confidentiality procedures set forth within M.P.E.P. § 724.
2. The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Max O. Cogburn, Jr..

SO ORDERED.

Signed: May 29, 2013

A handwritten signature in dark ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

